

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

MICHELLE TIPTON	]	
Petitioner,	]	
	]	
v.	]	No. 3:12-0399
	]	Judge Campbell
DEBORAH JOHNSON, WARDEN	]	
Respondent.	]	

O R D E R

The Court has before it a *pro se* prisoner petition (Docket Entry No.1) under 28 U.S.C. § 2254, for writ of habeas corpus.

The petitioner is an inmate at the Tennessee Prison for Women in Nashville. She brings this action against Deborah Johnson, Warden of the facility, challenging the legality of a 2003 murder conviction entered against her in Sevier County.<sup>1</sup>

Under 28 U.S.C. § 2241(d), a habeas petitioner may file in either the judicial district where the petitioner was convicted or the judicial district where she is currently incarcerated. As a consequence, venue for this action is proper in both the Eastern and Middle Districts of Tennessee. However, a petitioner's place of confinement may change from time to time while the district of her conviction will remain constant. For this reason, it has been the

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<sup>1</sup> Sevier County lies within the Northern Division of the Eastern District of Tennessee. 28 U.S.C. § 123(a)(1).

consistent practice in the federal courts of Tennessee to transfer habeas petitions to the judicial district in which the convicting court is located.

In this case, it appears that the Eastern District is the situs of the petitioner's conviction. Accordingly, the Clerk will TRANSFER this action to the United States District Court for the Eastern District of Tennessee, Northern Division at Knoxville, Tennessee. 28 U.S.C. § 1404(a).

It is so ORDERED.

Todd Campbell

Todd Campbell  
United States District Judge